

Application No.: 09/904,516  
Attorney Docket No.: 012237-0281573

### REMARKS

#### I. Status of the claims

Claims 1-19, 23-25, 27, 28, and 30-34 are pending. Claims 20-22 have been cancelled. The subject matter of claim 22 has been incorporated into claim 18. Since the amendment to claim 18 has only incorporates the limitations of a previously pending claim, Applicants believe that the amendment would not require the examiner to perform a new search and respectfully request that the amendment be entered.

#### II. Rejection under 35 U.S.C. § 102(e)

The examiner rejected claims 18-25, 27-28, and 30-33 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,277,364 to Bucks et al. ("Bucks").

In this response, Applicants have amended claim 18 by incorporating the limitations of claim 22. In particular, in amended claim 18, X and X' represent a quaternary amine, R and R' represent hydrophobic groups, and n and p each have the value zero.

Bucks does not teach a cosmetic composition containing a polyurethane as recited by Applicants in the claimed invention. Rather, the only polyurethanes taught in Bucks have chemical structures where the R is hydrogen. See col. 20, lines 5-10. Bucks does not teach a polyurethane where the R or R' represent hydrophobic groups, as claimed by Applicants. Therefore, Bucks fails to teach Applicants' claimed invention.

Accordingly, Applicants respectfully request that the examiner withdraw this rejection under 35 U.S.C. § 102(e).

#### III. Conclusion

If any issues in this application remain unresolved, the examiner is encouraged to contact the undersigned counsel at the number listed below in order to resolve such issues.

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Please charge any fees associated with the submission of this paper to Deposit Account No. 03-3975. The Director is also authorized to credit any overpayments to the above-referenced Deposit Account.

Respectfully submitted,

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